

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHRISTOPHER M. GATES,

Defendant.

CASE NO. CR15-0253-JCC

ORDER

This matter comes before the Court on the parties' stipulation regarding dismissal of counts and sentence on remand (Dkt. No. 129).

In February 2017, Defendant was convicted of two counts of felon in possession of a firearm (Counts 1, 2), possession of cocaine (Count 3), and possession of alprazolam (Count 4) following a stipulated facts trial. (Dkt. Nos. 104, 129.) Defendant was sentenced to time served, to be followed by three years of supervised release. (*Id.*) In December 2018, the Ninth Circuit upheld Defendant's convictions on Counts 1 and 4, but found that the evidence supporting Counts 2 and 3 should have been suppressed. (Dkt. Nos. 127, 128.) The parties now stipulate to the entry of: (1) an order granting in part Defendant's prior motion to suppress; (2) an order granting the Government's motion to dismiss Counts 2 and 3 of the indictment; and (3) a new judgment and sentence reflecting the change in Defendant's conviction, but imposing the same sentence. (Dkt. No. 129.)

1 Having thoroughly considered the parties' stipulation and the relevant record, the Court
2 hereby GRANTS the stipulated motion (Dkt. No. 129.) Orders consistent with the parties'
3 stipulation shall be issued in due course. Pursuant to Defendant's waiver of his right to appear at
4 a hearing for the entry of the proposed amended judgment and sentence, the Court shall enter the
5 parties' proposed amended judgment and sentence without a hearing.

6 DATED this 30th day of January 2019.

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

A handwritten signature in black ink, reading "John C. Coughenour", is written over a horizontal line.

John C. Coughenour
UNITED STATES DISTRICT JUDGE